

Docket No. 260155US28

IN RE APPLICATION OF: Robert F. CRUICKSHANK III, et al.

SERIAL NO: 09/995,371

FILED: November 26, 2001

FOR: NETWORK PERFORMANCE DETERMINING

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Transmitted herewith is an amendment in the above-identified application.

- No additional fee is required
 Small entity status of this application under 37 C.F.R. §1.9 and §1.27 is claimed.
 Additional documents filed herewith: Notice Under 37 CFR § 1.27(g)(2)

The Fee has been calculated as shown below:

CLAIMS	CLAIMS REMAINING		HIGHEST NUMBER PREVIOUSLY PAID	NO. EXTRA CLAIMS	RATE	CALCULATIONS
TOTAL	26	MINUS	26	0	x \$50 =	\$0.00
INDEPENDENT	3	MINUS	3	0	x \$200 =	\$0.00
		<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS		+ \$360 =		\$0.00
					TOTAL OF ABOVE CALCULATIONS	\$0.00
		<input type="checkbox"/> Reduction by 50% for filing by Small Entity				\$0.00
		<input type="checkbox"/> Recordation of Assignment		+ \$40 =		\$0.00
					TOTAL	\$0.00

- A check in the amount of \$0.00 is attached.
 Credit card payment form is attached to cover the fees in the amount of \$0.00
 Please charge any additional Fees for the papers being filed herewith and for which no check or credit card payment is enclosed herewith, or credit any overpayment to deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.
 If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Michael E. Monaco

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DOCKET NO.: 260155US28



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Robert F. CRUICKSHANK III, et al.

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Notice Under 37 CFR § 1.27(g)(2)

Applicants wish to note that small entity status is no longer appropriate for the above-noted application. The original assignee Stargus, Inc. qualified as a small tax entity. Stargus, Inc. assigned the rights to Broadband Management Solutions, LLC. Broadband Management Solutions, LLC assigned the rights to Broadband Royalty Corporation. The current assignment was recorded at reel/frame 015429/0965 on December 6, 2004.

It is believed no additional fees are due. Please charge any additional fees for the papers being filed herewith and for which no check or credit card payment is enclosed herewith, or credit any overpayment to deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Date:

5/18/05


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I:\ATTY\MM\26\S\260155US\260155US LARGE ENTITY 5-18-05.DOC

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